Amendments to the Claims:

1. (Currently amended) A method of generating a ring back tone, the method comprising:

receiving by a first terminal a request for a call setup generated by a second terminal, wherein the first terminal communicates over a voice over internet protocol (VOIP) network and the second terminal communicates over public switched telephone network (PSTN), wherein the VOIP and the PSTN networks are connected by way of a trunk gateway;

identifying type of a network over which a first voice over internet protocol (VOIP) terminal communicates with a second terminal requesting a call setup;

generating ring back tone data to be transmitted from by the first terminal to the second terminal according to the type of the network identified;

inserting the ring back tone data into a response message sent from the first terminal to the second terminal in response to the call setup request; and

transmitting the inserted response message from the first terminal to the second terminal.

2. (Original) The method of claim 1, wherein the response message comprises at least one data packet communicated based on real-time transport protocol.

3. (Previously presented) The method of claim 1, further comprising:

storing the ring back tone data in the first terminal; and

reading the stored ring back tone data according to a first-in first-out method so as to insert the ring back tone data to the response message.

4. (Original) The method of claim 1, wherein the type of the network is identified based on a specific message transmitted from the network.

5. (Original) The method of claim 1, wherein the type of the network is identified based on a number of the second terminal.

6. (Original) The method of claim 5, wherein the type of the network is identified based on a prefix included in the number of the second terminal.

2

7.   (Original)   The method of claim 4, wherein the specific message informs that the network has no function for generating the ring back tone data.

8.   (Original)   The method of claim 1, wherein if the type of the network is a public switched telephone network, the first terminal generates the ring back tone data.

9.   (Currently amended)   A first terminal configured for communicating over a voice over internet protocol (VOIP), the first terminal comprising:

a decision section for deciding whether to generate ring back tone data after identifying a type of a network to which a second terminal requesting a call setup belongs; and

a signal processor for generating the ring back tone data to be transmitted to the second terminal according to the type of the network and inserting the ring back tone data into a response message to the call setup.

wherein the first terminal communicates over a voice over internet protocol (VOIP) network and the second terminal communicates over public switched telephone network (PSTN), wherein the VOIP and the PSTN networks are connected by way of a trunk gateway.

10.   (Original)   The first terminal of claim 9, wherein the response message comprises at least one data packet based on real-time transport protocol.

11.   (Original)   The first terminal of claim 9, wherein if the type of the network is a public switched telephone network, the signal processor generates the ring back tone data.

12.   (Original)   The first terminal of claim 9, further comprising:

a memory for storing the ring back tone data,

wherein the signal processor reads the stored ring back tone data according to a first-in first-out method so as to insert the ring back tone data in the response message.

13.   (Original)   The terminal of claim 9, wherein the type of the network is identified based on a specific message transmitted from the network.

14.   (Original)   The terminal of claim 9, wherein the type of the network is identified based on a number of the second terminal.

3

15.   (Original)   The terminal of claim 14, wherein the type of the network is identified based on a prefix among the number of the second terminal.

16.   (Original)   The terminal of claim 13, wherein the specific message informs that the network has no function of generating the ring back tone data.

17-20   (Canceled)

21.   (New)   A system comprising:

a receiver for receiving a call set up request transmitted to a first terminal from a second terminal, wherein the first terminal communicates over a voice over internet protocol (VOIP) network and the second terminal communicates over public switched telephone network (PSTN), wherein the VOIP and the PSTN networks are connected by way of a trunk gateway;

a ring back generator for generating ring back tone data, wherein the ring back tone data is inserted into a response message sent from the first terminal to the second terminal in response to the call setup request.